

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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PRIORITY HEALTHCARE  
CORPORATION,

Plaintiff,

v.

AETNA SPECIALITY PHARMACY,  
LLC and AETNA HEALTH  
HOLDINGS, LLC,

Defendants.

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C.A. No. 08-00148-JJF

**MOTION TO DISMISS COMPLAINT FOR DECLARATORY JUDGMENT**

Pursuant to F.R.Civ.P. 12(b)(1), the defendants, Aetna Specialty Pharmacy, LLC and Aetna Health Holdings, LLC, hereby move for dismissal of the Complaint for Declaratory Judgment for lack of jurisdiction. In support of this Motion, defendants incorporate the accompanying Brief of Defendants in Support of Motion to Dismiss Complaint for Declaratory Judgment.

Respectfully submitted,

ELLIOTT GREENLEAF

Date: April 14, 2008

/s/ William M. Kelleher

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Attorneys for Defendants,

Aetna Speciality Pharmacy, LLC

And Aetna Health Holdings, LLC

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**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2008, upon consideration of the Motion of Defendants, Aetna Specialty Pharmacy, LLC and Aetna Health Holdings, LLC, to Dismiss Complaint for Declaratory Judgment, and Plaintiff's response thereto, if any, it is hereby ORDERED that Defendants' motion is GRANTED and the Complaint is dismissed with prejudice.

BY THE COURT:

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J.

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon the persons and  
in the manner indicated below:

**Via Electronic Filing and Service**

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Dated: April 14, 2008

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